

5/035/017

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FACSIMILE TRANSMISSION SHEET

DATE: August 23, 2001

TIME: _____
BILLING #: 6588-001

TO:

FAX NUMBER:

Wayne Hedberg
Paul Baker

359-3940
359-3940

Kerry Nielsen

240-1335

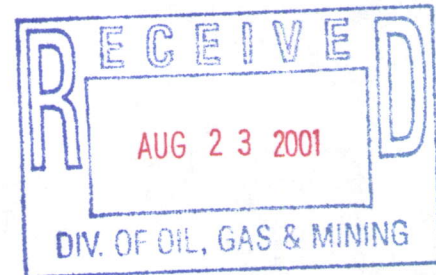
Greg Baptist
Cal Schneller

468-2169
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FROM: Denis R. Morrill

3 NUMBER OF PAGES INCLUDING COVER SHEET

COMMENTS:



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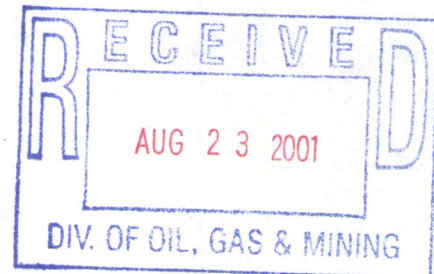
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5/35/017

August 23, 2001

Via Fax: 359-3940

State of Utah
Dept. of Natural Resources
Div. of Oil, Gas & Mining
1594 West North Temple, #1210
Salt Lake City, UT 84114-5801



ATTENTION: Wayne Hedberg, Permit Supervisor

**RE: SITE VISIT - CORPORATION OF PRESIDING BISHOP, LITTLE
COTTONWOOD GRANITE QUARRY**

Dear Mr. Hedberg:

We are in receipt of a copy of Paul Baker's July 20, 2001, memo on the above referenced site visit. Mr. Kerry Nielsen, a representative of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, met with people from your office and the Salt Lake County Public Works Department on July 30, 2001. I was supposed to be at that meeting but, unfortunately, I was not able to attend. Although the site visit memo shows a courtesy copy to Kerry Nielsen, he did not receive that document until the meeting on the July 30.

One aspect of that site visit is very troubling to me as legal counsel for CPB. It is my understanding that Alan Sanderson was present at that site visit. In the past he has been a serious opponent of this project, even to the extent of litigation, which he lost. It astounds me he would be invited to the site visit but no representative of the operator was invited. More astounding is your apparent acceptance of Mr. Sanderson's assessments of the work done and the status of the project as shown by your memorandum. Mr. Sanderson has no standing to be invited to or comment at your site visit. While you and your staff, of course, have access to the site under permit, this does not permit the access to the property by others.

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On behalf of CPB, we hereby request that no outsiders be included in any further site visit without the express consent of the operator. This will allow the operator to control who has access to the property and, of course, will also comport with fundamental principles of fairness.

I understand that at the July 30 meeting the County and CPB representatives agreed to the addition of an additional three hundred (300) small transplant trees similar to those already planted. I understand as well that CPB has agreed to broadcast your recommended seed mix this fall and perform the other items contained in your conclusions and recommendations section.

With the completion of your recommendations this fall I am assuming you will be in a position to close the permit and file as previously requested.

Very truly yours,

KIRTON & McCONKIE



Dennis R. Morrill

DRM:ss

cc: Kerry Nielsen (via fax: 240-1335)

Greg Baptist, Grading Engineer (via fax: 468-2169)

Cal Schneller, Division Director (via fax: 468-2169)

Paul Baker (via fax: 359-3940)